

Appl. No. 09/746,676

Attorney Docket: 042390.P10141

**REMARKS**

The above referenced patent application has been reviewed in light of the Office Action, dated March 27, 2006, in which:

- claims 37 is rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph as indefinite;
- claims 1 and 30-36 are rejected under 35 U.S.C. § 102(e) on Haroun *et al.* (hereafter, "Haroun", US Patent No. 6,711,707 B1);
- claims 2-6, 8-15, 17-22, and 24-29 are rejected under 35 U.S.C. § 103(a) on Haroun in combination with Champlin (US Patent No. 5,644,580);
- claims 16, and 37 are rejected under 35 U.S.C. § 103(a) on Haroun and Champlin in further combination with Beardsley *et al.* (hereafter, "Beardsley", US Publication No. 2002/0138695 A1);
- and claims 7 and 23 are objected to as being dependent upon a rejected base claim, but would be allowable is rewritten in independent form.

Reconsideration of the above referenced patent application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-6, 8-22, and 24-29 are now pending the above referenced patent application. No claims have been added. Claims 1 and 18 have been amended to include the principle limitation of allowable dependent claims. No new matter has been entered. Claims 30-37 have been canceled but may be pursued in a Continuation application, and, therefore, do not result in prosecution history estoppel.

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## **1. 35 U.S.C. § 112, 2<sup>nd</sup> paragraph**

### ***1.1. Claims 37: "at least two processor cores"***

The PTO has rejected claims 37 under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph. Applicants have cancelled claim 37, but the claim may be pursued in a Continuation application; therefore, the cancellation does not result in prosecution history estoppel. It is respectfully requested that the foregoing claim rejections be withdrawn.

## **2. 35 U.S.C. § 102**

### ***2.1. Haroun: Claims 1 and 30-36***

The PTO has rejected claims 1 and 30-36 under 35 U.S.C. § 102(e) as being anticipated by Haroun. Although Applicants respectfully feel that Haroun does not satisfy a *prima facie* case of § 102, rather than belabour the point, Applicants have amended the claim 1 to include the principle limitation of an allowed dependent claim. Furthermore, Applicants have cancelled claims 30-36, but note that the claims may be pursued in a Continuation application; therefore, the cancellation does not result in prosecution history estoppel.

Applicants respectfully assert that the Haroun rejection has been rendered moot. It is, therefore, respectfully requested that the rejection of these claims be withdrawn.

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### **3. 35 U.S.C. § 103**

#### ***3.1. Haroun and Champlin: Claims 2-6, 8-15, 17-22, and 24-29***

The PTO has rejected claims 2-6, 8-15, 17-22, and 24-29 under 35 U.S.C. § 103(a) as being anticipated by Haroun in combination with Champlin. Although Applicants respectfully feel that Haroun and Champlin do not satisfy a *prima facie* case of § 103, rather than belabour the point, Applicants have amended the claims 1 and 18 to include the principle limitations of an allowed dependent claims. Furthermore, Applicants note that the original claims may be pursued in a Continuation application; therefore, the cancellation does not result in prosecution history estoppel.

Applicants respectfully assert that the Haroun and Champlin rejection has been rendered moot. It is, therefore, respectfully requested that the rejection of these claims be withdrawn.

#### ***3.2. Haroun, Champlin, and Beardsley: Claims 16 and 37***

The PTO has rejected claims 16 and 37 under 35 U.S.C. § 103(a) as being anticipated by Haroun and Champlin in combination with Beardsley. Although Applicants respectfully feel that the combination does not satisfy a *prima facie* case of § 103, rather than belabour the point, Applicants have amended the claim 1 to include the principle limitation of an allowed dependent claim. Furthermore, Applicants have cancelled claim 37, but note that the claim may be pursued in a Continuation application; therefore, the cancellation does not result in prosecution history estoppel.

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Applicants respectfully assert that the Haroun, Champlin, and Beardsley rejection has been rendered moot. It is, therefore, respectfully requested that the rejection of these claims be withdrawn.

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**CONCLUSION**

In view of the foregoing, it is respectfully asserted that all claims pending in this application, as amended, are in condition for allowance. If the Examiner has any questions, they are invited to contact the undersigned at 503-264-7002. Reconsideration of this patent application and early allowance of all claims is respectfully requested.

Respectfully submitted,

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